

# TRANSCRIPT OF PROCEEDINGS

In the Matter of

PETER L. BRADLEY

) FAA Docket CP-04-WP-0030  
) (Civil Penalty Case)  
) DMS FAA-2005-20532-17

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Pages: 1 through 5

Place: San Francisco, California

Date: August 29, 2005

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# ORIGINAL

UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
OFFICE OF HEARINGS  
WASHINGTON, D.C.

In the Matter of )  
PETER L. BRADLEY ) FAA Docket CP-04-WP-0030  
) (Civil Penalty Case)  
) DMS FAA-2005-20532-17

Monday  
August 29, 2005

Courtroom 2-1350  
450 Golden Gate  
San Francisco, California

The record was opened, upon the motion of the  
Judge, at 9:56 a.m.

BEFORE: HON. RICHARD GOODWIN  
Administrative Law Judge

APPEARANCES:

For the Complainant:

No Appearance

For the Respondent:

No Appearance

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P R O C E E D I N G S

JUDGE GOODWIN: The case of Peter L. Bradley, FAA  
Docket No. CP-04-WP-0030, DMS FAA 2005-20532.

Complaint was filed on or about December 21st,  
2004. There's an answer been filed. There's also a large  
packet of -- excuse me -- information that's been filed by  
Respondent.

I filed a procedural order March 21st, 2005. This  
case was originally set for hearing July 5th and 6th in this  
courthouse, and there were actually two notices of hearing  
that went out. The matter was continued for reasons that  
escape me right at this point. I think it was continued  
based on Respondent's request for a continuance of the  
hearing date. And it was set for August 29th and 30th.

Now a week ago, FAA counsel indicated that there  
might -- the case might proceed on a stipulation of fact,  
and that was when I was hearing a docket in Los Angeles, and  
that would have been, believe -- I'm not sure of the dates,  
it was early August, think it was the week of the 15th  
through the 19th.

I indicated to agency counsel that if that -- that  
they should coordinate that with my law clerk. Last week my  
secretary got a phone call purportedly from FAA counsel  
about the case. My secretary either sent an E-mail or a  
voice-mail, I don't recall -- because I've been on the road

1 for three weeks -- indicating that unless I received a  
2 stipulation of fact with a motion for continuance, I  
3 expected counsel to appear.

4 It is now 9:57 on August 29th. The case has been  
5 called. No -- neither counsel has appeared in this case.  
6 At -- this morning at 7:48 Pacific time my secretary called  
7 and indicated that in her in-box this morning was a  
8 stipulation which was date-stamped 6:00 o'clock Friday  
9 evening Eastern standard (sic) time. Apparently there's a  
10 stipulation, there's some additional pleadings, there's no  
11 motion for continuance.

12 Frankly, this is unacceptable and unprofessional  
13 conduct, and it's becoming a pattern with some of the FAA  
14 counsel. This Court expects counsel to appear at the time  
15 and date indicated or to file the appropriate pleadings, and  
16 until an order is signed, counsel are not excused. If this  
17 sort of behavior continues, there will be consequences  
18 consistent with -- well, there will be consequences.

19 I invite counsel to read Kerry vs. James Eldridge.  
20 That's E-l-d-r-i-d-g-e. FAA Docket No. CP-89-GL -- as in  
21 golf lima -- 0458, which was Judge Kolko's order dated  
22 January 16th, 1991, as well as several of my additional  
23 cases.

24 It is 10 -- it is now 10:00 o'clock on the 29th of  
25 August. No one has appeared in court. The court reporter's

1 here, I'm here. I have not decided what I'm going to do  
2 with the case. So I will -- we will go off the record, and  
3 I will then ponder what I intend to do with this case.

4 But I reiterate this is unacceptable conduct and  
5 will not continue.

6 We'll go off the record.

7 (Whereupon, at 10:01 a.m., the hearing in the  
8 above-entitled matter was concluded.)

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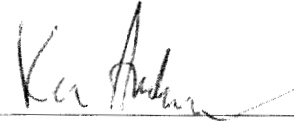
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C E R T I F I C A T E

This is to certify that the attached proceedings before the US Department of Transportation, Office of Hearings, in the matter of Peter L. Bradley, FAA Docket No. CP-04-WP-0030, Civil Penalty Case, DMS FAA-2005-20532, were held in San Francisco, California, on Monday, August 29, 2005, as therein appears, and that this is the original transcript thereof for the files of the Department.



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KENT ANDREWS

Official Reporter

Date: